

CITY OF FORT WAYNE, INDIANA
Journal of the Proceedings
of the Common Council

Absent 1 viz: Councilman 8

The minutes of the last regular February 14, 1967 session having been delivered to the Council, were, on Motion, approved as published.

City of Fort Wayne

J. ROBERT ARNOLD
City Attorney
1120 Lincoln Tower
243-3397

February 6, 1967

Mr. John Nuckols,
Councilman, First District
Fort Wayne, Indiana

Dear Mr. Nuckols:

At the last meeting of the Common Council, you requested an opinion as to whether an ordinance or an amendment to the Minimum Housing Code of the City of Fort Wayne would be necessary to require closer city supervision of all rental housing within the City.

The Minimum Housing Code* as it is now written authorizes and directs the City Building Commissioner "to enter, examine and survey all dwellings, dwelling units, rooming units and premises" when certain requirements have been met and satisfied.

1. Individual properties may be inspected when probable cause that conditions not conforming to the Code exist is shown by affidavit and an inspection warrant is issued.
2. A blanket inspection of all dwelling units can be made when an official determination of the need of such inspection has been made a matter of written public record and proper newspaper notice thereof has been published.
3. Routine spot inspections of all dwelling units can be made following an official determination of need when a written public record is made thereof and proper newspaper notice has been given.

In short, the Code, as it now stands, provides for in-



(2/6/67-J.Nuckols)

dividual, blanket and spot inspections and applies with equal force to rental and non-rental properties regardless of age.

In my opinion, the Code now provides adequate authorization for inspection of all dwellings within the City of Fort Wayne.

In my opinion, the three-way approach afforded by the Code provides adequate authority to the City to inspect any and all dwellings in the performance of its duty to safeguard the health and safety of the occupants and the general public.

A:D: jmp

J. Robert Arnold,
City Attorney

*Article VI of Chapter 13 is what is commonly referred to as the Minimum Housing Code of the City of Fort Wayne and is General Ordinance No. G-68, having been adopted by the Common Council of the City of Fort Wayne, Indiana on October 10, 1961. Section 46 of the Code provides authority for inspections.

MADE A MATTER OF RECORD
DATE 2-14-67 WALTER C. MEYERS, CITY CLERK

February 11, 1967

Mr. John Nuckols
Councilman, First District
930 E. Washington Blvd.
Fort Wayne, Indiana

Dear Mr. Nuckols:

We received a copy of the letter sent you by Mr. J. Robert Arnold, City Attorney, regarding the opinion asked for by you at the last Common Council meeting.

We feel that this reply in no way answers the request made by the East Central Neighborhood Association in their letters to you and other members of the City Council.

Are we to expect this to be the answer, or are we to assume you are looking into our request being complied to.

An early reply will be greatly appreciated, as the issues mentioned in our letters of January 21, 1967, are of vital importance in the goals we are striving to achieve.

Sincerely,



Wilbur G. Biggs, President
East Central Neighborhood Association

WB/rl

MADE A MATTER OF RECORD
DATE 2-14-67 WALTER C. MEYERS, CITY CLERK

*Make matter
rec'd - refer to Comm
on Finance*

MILLER AND MILLER
LAWYERS
527 BROADWAY
NEW HAVEN, INDIANA 46774

TELEPHONE
749-1144

MICKEY M. MILLER
JEANNE S. MILLER

February 10, 1967

Hon. John H. Robinson
2106 Vance Avenue
Fort Wayne, Indiana

Dear John:

City Court Judge Joe Christoff has discussed your concern with the office of City Court Judge. He and Larry Burke, president of the Allen County Bar Association, have asked the Judicial Selection and Tenure Committee to make a study of this office and make recommendations to the City Council, particularly concerning whether or not the office should be full time and the compensation for the office.

After study, the Judicial Selection and Tenure Committee recommend that the office of City Judge should be a full-time job held by an attorney who will not practice law at the same time. We recommend that this office carry compensation equal to that which is received by the Allen County Circuit and Superior Judges, namely, \$21,500 per year.

If this recommendation cannot be feasibly put into effect, as an alternate, we recommend that there be two part-time City Court Judges (if such is possible under existing legislation) and that the compensation of each of these Judges be increased from the present \$7,800 per year.

The Allen County Bar Association and the Indiana State Bar Association have approved the report of the Indiana Judicial Study Commission and hope that the present General Assembly will adopt a Resolution proposing a Constitutional Amendment to the Judicial Article of the Indiana Constitution. This Amendment would substantially update and streamline the Indiana judicial system. I am enclosing a copy of this recommendation in case you have


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February 10, 1967
Hon. John H. Robinson
Fort Wayne, Indiana

not already seen this. If this reform should sometime in the future become effective, we believe it would substantially solve many of the problems of the City Court. The matters now heard in the Fort Wayne City Court would be heard by a regular full-time Judge who would receive the same compensation of other full-time Judges. This court would be integrated with all of the other courts, and the Judge would be appointed by the Governor from a panel chosen by a special nominating commission.

In view of the tremendous caseload of the Fort Wayne City Court and Allen County's increasing population, and in view of the fact that the only contact with courts that 9 out of 10 people have is with the City Court, we feel that the upgrading of the court eventually must come.

I hope that this letter will be of some help to you. If you or the Council have any other specific matters you would like this Committee or the Allen County Bar Association to study, I would appreciate if you would call me.

Sincerely yours,


JEANNE S. MILLER, Chairman of the
Judicial Selection and Tenure
Committee of the Allen County Bar
Association

JSM:mh
Enclosure

MADE A MATTER OF RECORD
DATE 2-14-67 WALTER C. MEYERS, CITY CLERK

2-miller on feroxel

In representing the membership of Local 682 Amalgamated Transit Union, we, the Executive Board, in view of the decision on the part of Fort Wayne Transit to withdraw request for aid, now find our membership faced with a possible loss of jobs. All members are subject to losing, but more-so the 16 members with 35 or more years of service and the 79 members with 10 or more years.

While the City of Fort Wayne has grown in size and stature, public transportation has decreased and to the point of becoming a problem. And no one knows better than we, the adverse conditions under which we have labored in order to maintain our position in the city's growth.

We have struggled through the growing pains of an industrial city, through a downward trend in public transportation. We have sacrificed working conditions which are numerous and in many respects, we've subsidized the Transit Company by working for lower wages than our neighbor in industry.

We feel that a comprehensive transit study will show as have previous citizens studies, the need for bus service in Fort Wayne and also the need for new equipment. In this respect the riding public deserves more than what they have been receiving.

We, the Executive Board, stand ready to offer any assistance in the serious problem of Public Transportation. We will discuss the problem with any and all interested parties at any time.

Executive Board Members

President

Vice President

Recording Secretary

Financial Secretary

Board Member

Harold G. Boeching
John J. Stephens
Harold A. Wible
Kenneth Blomback

made a matter of record

~~CONCURRED IN~~

DATE 2-14-67 WALTER C. MEYERS, CITY CLERK

City of Fort Wayne



ENGINEERING DEPARTMENT

FORT WAYNE, INDIANA

425 SOUTH CALHOUN STREET

February 6, 1967

Mr. Howard Hirschy
Hirschy Realty Inc.
202 Gettle Building
Fort Wayne, Indiana

Subject: Storm Drainage - NE Corner McKinnie and Hessen Cassel Road

Dear Mr. Hirschy:

Reference our meeting today regarding the drainage problem at the above location, I pointed out that the Park Board has requested this department to prepare a preliminary plan for a storm sewer which will eliminate the serious flooding condition along Hessen Cassel Road.

This study has been completed and we find that the outfall for this proposed sewer is into an existing ditch which drains your property and discharges into the 36 inch sewer recently constructed by Three Fountains, Inc. In addition, there is an existing 24 inch sewer which discharges into this ditch and drains McKinnie Avenue.

You pointed out that it is your proposal to reroute this drain along the perimeter of your property so that it would not hinder future development. Our estimate of this rerouting and enclosing the ditch with a 36 inch pipe is \$17,235, plus 10% for engineering and inspection. This cost also includes 160 feet of 24 inch pipe which is necessary for the extension of the existing 24 inch sewer if the existing ditch is to be eliminated.

Our proposal is to run a new line north along the west side of Hessen Cassel Road. This line would discharge into your new 36 inch pipe. Until such time as your drain is rerouted, our project cannot proceed. Therefore, we ask that you give your earliest consideration to having your portion of the sewer constructed.

If any additional information is required, please feel free to contact this department.

Yours truly,

A handwritten signature in blue ink that reads "Ron Bonar".

Ron Bonar
Chief Sewer Engineer

gk
cc: Board of Works
Mr. W. H. Meitz

PARKING AREA

EXISTING STORM
DRAINS (FIELD TILE)

Diplomat Apts

N

PRER III

McMILLEN
Park

FARMING AREA

WATERSHED AREA

Hessen Cassel

PROPOSED 27" PIPE

PROPOSED INLET

THREE FOUNTAINS
APARTMENTS

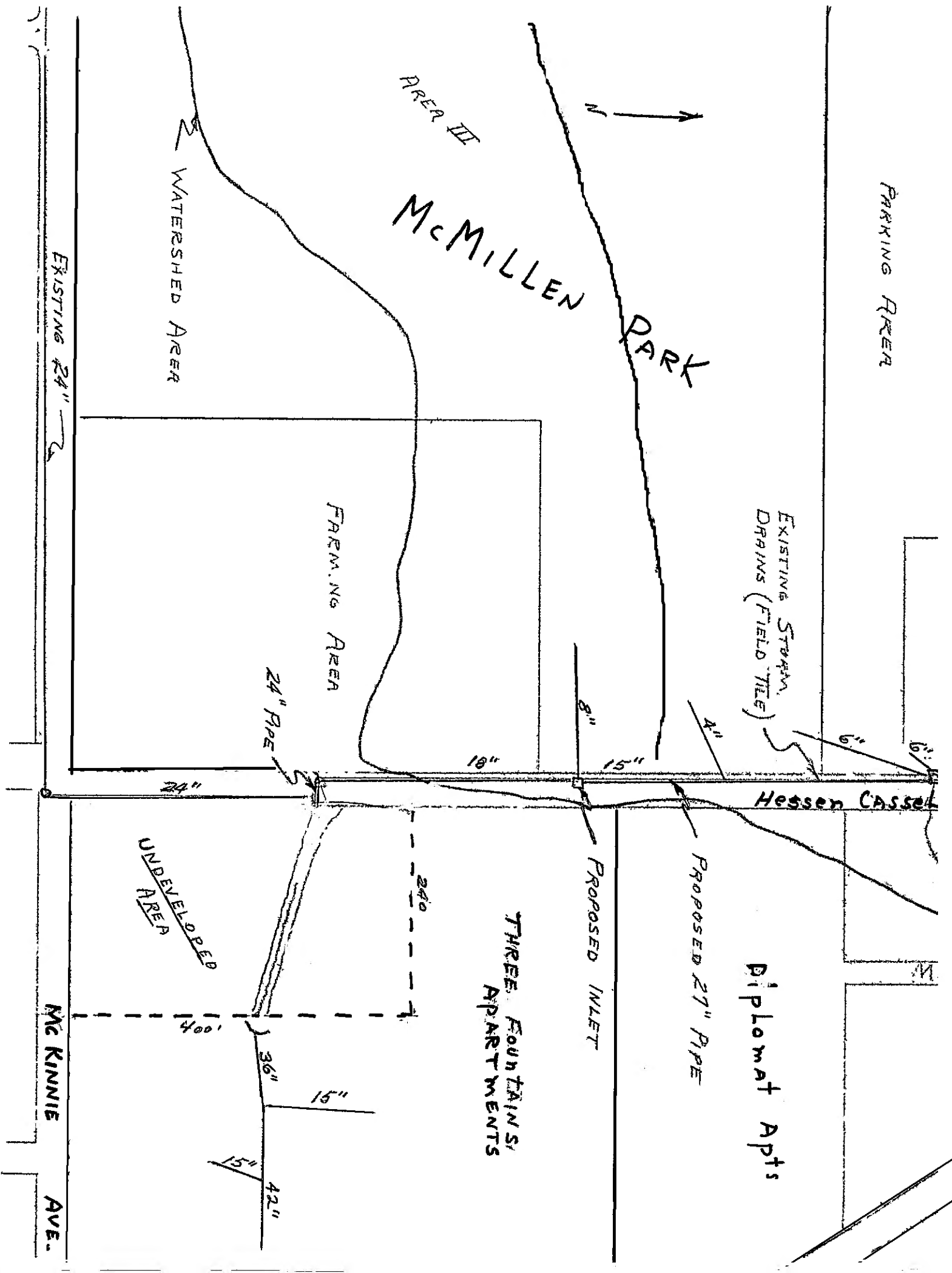
24" PIPE

UNDEVELOPED
AREA

EXISTING 24" 

Mc KINNIE

Ave.



[illegible]

DATE 2-5-67

[illegible]



City of Fort Wayne

HAROLD S. ZEIS
Mayor

COMMUNICATION FROM THE MAYOR

To The Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

Today, February 15, 1967, I have approved the following ordinances passed by the Common Council at its regular meeting on February 14, 1967.

(Bill No. Z-66--10-24)(Amended)

ZONING MAP ORDINANCE NO. Z-97-67

AN ORDINANCE amending the City of Fort Wayne Zoning Maps Nos. AA-10 and AA-12.

(Bill No. Z-66-10-26)

ZONING MAP ORDINANCE NO. Z-98-67

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-6.

(Bill No. Z-66-12-11)

ZONING MAP ORDINANCE NO. Z-99-67

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-1.

(Bill No. X-67-01-10)

ANNEXATION ORDINANCE NO. X-16-67

AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 2.

(Bill No. A-67-01-11)

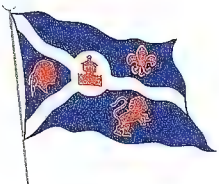
APPROPRIATION ORDINANCE NO. A-118-67

AN ORDINANCE appropriating and transferring certain funds from the unobligated balance of the General Fund of the 1967 Budget to Item No. 8-1-115 in the 1967 Budget of the Board of Public Safety.

(Bill No. A-67-01-12)

APPROPRIATION ORDINANCE NO. A-119-67

AN ORDINANCE transferring certain funds from Item 8-1-122 to Item 8-1-116 in the 1967 Budget of the Traffic Engineering Department.



DATE 28 67 WALTER C. METERS, CITY CLERK

(Bill No. S-67-01-13)

SPECIAL ORDINANCE NO. S-427-67

AN ORDINANCE approving report of Transit Committee and authorizing the acceptance of a proposal with Day & Zimmerman, Inc. for technical study of Fort Wayne's public transit system.

(Bill No. S-67-01-14)

SPECIAL ORDINANCE NO. S-428-67

AN ORDINANCE approving the Lease Extension Agreement for the Board of Public Health Building at 335-339 East Wayne Street, Fort Wayne, Indiana.

(Bill No. R-67-02-16)

RESOLUTION NO. R-50-67

A RESOLUTION authorizing the City Controller to invest certain funds not immediately required for disbursement.

(Bill No. R-67-02-18)

RESOLUTION NO. R-51-67

A RESOLUTION of the Board of Public Works regarding the construction of extensions and additions to the Municipal Water Works.

Respectfully submitted,

Harold S. Zeis

MADE A PART OF RECORD
DATE 12/1/67 WALTER C. FLETCHER, CITY CLERK



City of Fort Wayne

COMMUNICATION FROM BOARD OF PUBLIC SAFETY

February 15, 1967

President of the Common Council
City of Fort Wayne, Indiana

Dear Sir:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolutions number 5-67/D and 6-67/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate same into the minutes of the next Common Council Meeting.

Respectfully submitted,

Melvin H. Heckman, Chairman
BOARD OF PUBLIC SAFETY

BY: *George W. Bormuth*
George W. Bormuth, Exec. Sec'y.

mb

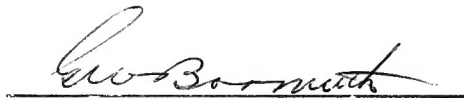
MADE A MATTER OF RECORD
DATE 2-21-67 WALTER C. MEYERS, CITY CLERK



RETURN CERTIFICATE

(Regulatory Resolution No. 5-67 /D) & 6-67/E

I hereby certify that I did this 16th day of February, 1967 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 5-67/D & 6-67/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.



EXECUTIVE SECRETARY

DATE 2-28-67 WALTER C. PETERS, CITY CLERK

REGULATORY RESOLUTION NO. 5-67 /D

(Adopted February 15, 1967)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961, authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 62 & 121 of said chapter as so amended delegates to this Board authority to designate preferential intersections and restrict parking near hazardous or congested places _____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated February 10, 1967, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board by Section 62 & 121 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14, 1961. it is hereby

ordered, effective February 15, 1967, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. Preferential Intersection:

1. Sinclair Street - Preferential at Schilling Ave.
2. Tilden Avenue - Preferential at Garfield St.
3. Webster Street - Preferential at Suttentfield St.
- ~~Delete~~
1. Indiana Avenue - Preferential at Kinnaird Ave.

B. No Parking:

1. Berry Street - south side - from Barr St. to 100' east.
2. Wayne Street - north side - from Calhoun St. to 100' west.
3. Wayne Street - north side - from Lafayette St. to 100' west.
4. Barr Street - east side - from Washington Blvd. to 100' south.

REGULATORY RESOLUTION NO. 6-67/E

(Adopted February 15, 1967)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G - 55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to no parking, 90 minute parking, stop intersection and a one-way street deletion
_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated February 10, 1967, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G - 55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective February 15, 1967, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. No Parking:

1. Cascade Drive - east side - from Fairfax Ave. to Silverleaf Drive.
2. Nuttman Avenue - south side - from Owaissa Way to Brooklyn Ave.

B. 90 Minute Parking 8:00 A.M. to 6:00 P.M.:

1. Tilden Avenue - both sides - from Anthony Blvd. to Garfield St.

C. Stop Intersection:

1. Kinnaird Avenue - STOP - at Indiana Ave.

D. One-Way Street:

Delete

1. Schick St. - north bound - from Maumee Ave. to Washington Blvd

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said city and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday, the 28th day of February, 196 7; that the numbered ordinances shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance respectively; and that all such records, proceedings and ordinances remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 28th day of February, 196 7.

Walter C. Meyers
City Clerk

SEAL